Hovsepian v. Apple, Inc.

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Exhibit F

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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

SOUTHERN DIVISION

ACACIA MEDIA TECHNOLOGIES CORPORATION, Plaintiff, vs. NEW DESTINY INTERNET GROUP, et. al., Defendants. AND ALL RELATED CASE ACTIONS.	Case No. SACV 02-1040 JW (MLGx) **PLAINTIFF ACACIA MEDIA TECHNOLOGIES CORPORATION'S CLAIM CONSTRUCTION BRIEF** **DATE: February 6, 2004** **TIME: 10:00 a.m.** **CTRM: Hon. James Ware**

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2. The Meaning Of The Phrase "Items Having Information"

There is no material difference between the phrases "items containing information" (from claim 1) and "items having information" from claim 41. As previously discussed, the phrase "items having information" is construed as "units or members of a group or groups which have information. Information is the meaning assigned to data by known conventions." ('992 patent, 6:12-15 and 6:19-22)

3. The Meaning Of The Phrase "Source Material Library"

The term "source" has a relevant dictionary definition: "**1 b (1):** a point of origin or procurement: beginning." (Webster's, at 1127; Exhibit 12). The term "material" has a relevant dictionary definition: "**1 a (1):** relating to, derived from, or consisting of matter. . . **3 b:** relating to or concerned with physical rather than spiritual or intellectual things." (Webster's, at 733; Exhibit 12). The term "library" has a relevant dictionary definition: "**1 a:** a place in which literary, musical, artistic, or reference materials (as books, manuscripts, recordings, or films) are kept for use, but not for sale **b:** a collection of such materials." (Webster's, at 688; Exhibit 12). Thus, the phrase "source material library" is construed as: "a place where source material is kept or a collection of source material. Source material are physical things at the point of origin or procurement."

4. Conclusion -- The Meaning Of The Phrase "Storing Items Having Information In A Source Material Library"

Pursuant to the above, the phrase "storing items having information in a source material library" is construed as:

> the act of placing items having information in a source material library for later use where a source material library is a place where source material is kept or a collection of such material, source material are physical things at the point of origin or procurement, items having information are units or members of groups which have information, and information is any meaning assigned to data by known conventions.